

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jun Wei (Reg. No. 55,717) on 4/16/2010.

**The application has been amended as follows:**

In the specification, at page 29, paragraph [0061], line 2, "communicating batch offers to the commerce facility 10 utilizing a bulk-listing seller tool" has been amended to read --communicating batch offers to the commerce facility 10 utilizing a bulk-listing seller tool--.

Claim 1. (Currently Amended) A method to facilitate a transaction via a network-based transaction facility, the method including:

recording a pre-order relating to an item in a processor-implemented database of the transaction facility, the pre-order specifying a plurality of pre-order attributes including a minimum pre-order product condition and minimum seller rating;

receiving an offer to sell the item at the transaction facility, the offer specifying a plurality of offer attributes including an offer product condition and a seller rating;

automatically performing with processor-implemented matching logic a matching

operation to detect a correspondence between the pre-order and the offer, the matching operation utilizing the plurality of pre-order attributes and the plurality of the offer attributes to detect the correspondence; and

responsive to the processor-implemented matching logic detecting a correspondence between the pre-order and the offer, automatically performing a transaction when the plurality of pre-order attributes are satisfied by the plurality of the offer attributes,

wherein, if a batch of ~~pre-orders~~ offers are detected matching the ~~offer~~ pre-order, the ~~batch of~~ matching pre-orders are set ~~in~~ to a reserve state, and wherein a second transaction is performed when one of the ~~batch of~~ pre-orders is confirmed.

Claim 33. (Currently Amended) The system of claim 32 wherein the seller rating is established based on a trading history of a seller from which the offer ~~originators~~ originates.

Claim 61. (Currently Amended) A commerce system to facilitate a transaction, the system including:

first means for recording a pre-order relating to an item at the transaction facility, the pre-order specifying a plurality of pre-order attributes including a minimum pre-order product condition and minimum seller rating; and

second means for automatically performing a matching operation to detect a correspondence between the pre-order and an offer received at the system, the offer

specifying a plurality of offer attributes including an offer product condition and a seller rating, the matching operation utilizing the plurality of pre-order attributes and the plurality of the offer attributes to detect the correspondence;

the second means further, responsive to a detection of the correspondence by the matching operation, for automatically performing a transaction when the plurality of pre-order attributes are satisfied by the plurality of the offer attributes,

wherein, if a batch of ~~pre-orders~~ offers are detected matching the ~~offer~~ pre-order, the ~~batch of~~ matching pre-orders are set ~~in~~ to a reserve state, and wherein a second transaction is performed when one of the ~~batch of~~ pre-orders is confirmed.

Claim 62. (Currently Amended) A machine-readable medium storing a sequence of instructions that, when executed by a machine, cause the machine to facilitate a transaction via a network- based transaction facility, the method including:

recording a pre-order relating to an item at the transaction facility, the pre-order specifying a plurality of pre-order attributes including a minimum pre-order product condition and minimum seller rating;

receiving an offer to sell the item at the transaction facility, the offer specifying a plurality of offer attributes including an offer product condition and a seller rating;

automatically performing a matching operation to detect a correspondence between the pre-order and the offer, the matching operation utilizing at least one pre-order attribute of the plurality of pre-order attributes and at least one offer attribute of the offer attributes to detect the correspondence;

responsive to a detection of the correspondence by the matching operation, automatically performing a transaction when the plurality of pre-order attributes are satisfied by the plurality of the offer attributes,

wherein, if a batch of ~~pre-orders~~ offers are detected matching the ~~offer~~ pre-order, the ~~batch of~~ matching pre-orders are set ~~in~~ to a reserve state, and wherein a second transaction is performed when one of the ~~batch of~~ pre-orders is confirmed.

2. The following is an examiner's statement of reasons for allowance:

Claims 1-18, 20-24, 32-48, 50-54, 61-62 are considered allowable since when reading the claims in light of the specification, as per MPEP §2111.01, none of the references of record alone or in combination disclose or suggest the combination of limitations specified in the independent claims, including "wherein, if a batch of offers are detected matching the pre-order, the matching pre-orders are set to a reserve state, and wherein a second transaction is performed when one of the pre-orders is confirmed" as specified in claims 1, 61 and 62.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elda Milef whose telephone number is (571)272-8124. The examiner can normally be reached on Monday -Friday 9:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell can be reached on (571)272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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